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## NOTICE OF ALLOWANCE AND FEE(S) DUE

20306 7590 12/02/2008

MCDONNELL BOEHLEN HULBERT & BERGHOFF LLP  
300 S. WACKER DRIVE  
32ND FLOOR  
CHICAGO, IL 60606

EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 12/02/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/715,589

11/18/2003

Robert C. Suffern

89,371-E

4742

TITLE OF INVENTION: HOST COMPUTER DIGITAL SIGNAL PROCESSING SYSTEM FOR COMMUNICATING OVER VOICE-GRADE TELEPHONE CHANNELS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/02/2009

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

20306 7590 12/02/2008

**MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP**  
300 S. WACKER DRIVE  
32ND FLOOR  
CHICAGO, IL 60606

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/715,589 11/18/2003 Robert C. Suffern 89,371-E 4742

TITLE OF INVENTION: HOST COMPUTER DIGITAL SIGNAL PROCESSING SYSTEM FOR COMMUNICATING OVER VOICE-GRADE TELEPHONE CHANNELS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/02/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
RAMAKRISHNAIAH, MELUR	2614	379-093320

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/715,589	11/18/2003	Robert C. Suffern	89,371-E	4742
20306	7590	12/02/2008	EXAMINER	
MCDONNELL BOEHNNEN HULBERT & BERGHOFF LLP 300 S. WACKER DRIVE 32ND FLOOR CHICAGO, IL 60606			RAMAKRISHNAIAH, MELUR	
			ART UNIT	PAPER NUMBER
			2614	
DATE MAILED: 12/02/2008				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1265 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1265 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/715,589	SUFFERN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Melur Ramakrishnaiah	2614	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4-18-08.
2. ☒ The allowed claim(s) is/are 23-73, now renumbered 1-50.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

/Melur Ramakrishnaiah/  
Primary Examiner, Art Unit 2614

***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance: This invention relates to electronic communication systems and more particularly to a system for enabling a computer to transmit and receive information over an analog communication link.

The prior art of record in combination or alone fails to teach or suggest these elements of independent claims 23, 33, 40, 52, 53, 54, 67, 71, 73 in combination with other elements. For example independent claim 23 has claim limitations such as a telephone interface circuit connectable to the communication link for (i) receiving from the communication link an incoming signal representative of a communication from a remote device and (ii) delivering to the communication link an outgoing signal representative of communication from the computer, an interpolation routine executable by the host processor to interpolate a stream of incoming digital sample values representative of the incoming signal into a modified stream of incoming digital sample values substantially synchronized to the remote baud rate, a modem demodulation routine executable by the host processor to translate the modified stream of incoming digital sample values into digital input data, and a modem modulation routine executable by the host processor to translate digital output data into digital sample amplitude values representative of the outgoing signal. Independent claim 33 has claim limitations such as telephone interface circuit connectable to the communication link for (i) receiving from the communication link an incoming signal representative of a communication from a remote device and (ii) delivering to the communication link an

Art Unit: 2614

outgoing signal representative of communication from the computer, a modem demodulation routine executable by a host processor to demodulate a stream of interpolated digital sample amplitude values representative of the incoming signal, and to thereby provide a stream of digital input data, a modem modulation routine executable by a host processor to modulate a stream of digital output data, and to thereby provide a stream of digital sample amplitude values representative of the outgoing signal. Independent claim 40 has claim limitations such as line interface circuitry connectable to the communication link for (i) receiving from the communication link an incoming signal representative of a communication from a remote device and (ii) delivering to the communication link an outgoing signal representative of a communication from the computer, an interpolation routine executable by the host processor to interpolate a stream of digital sample values representative of incoming signal so as to compensate for baud variation and thereby provide an interpolated stream of digital sample values, a modem demodulation routine executable by a host processor to demodulate the interpolated stream of digital sample values, and thereby provide a stream of digital input data and a modem modulation routine executable by the host processor to modulate a stream of digital output data, and to thereby provide a stream of digital sample values representative of the outgoing signal. Independent claim 52 has claim limitations such as interpolating a stream of digital sample values representative of communication from a remote device, so as to compensate for baud rate variation between the computer and the remote device, and to thereby provide an interpolated stream of digital sample values, demodulating the interpolated stream of

Art Unit: 2614

digital sample values, so as to provide a stream of digital input data, and modulating a stream of digital output data, so as to provide a stream of digital sample values representative of communication to the remote device. Independent claim 53 has claim limitations such as an interpolation routine executable by the host processor to interpolate a stream of digital sample values representative of a communication from a remote device, so as to compensate for baud rate variation between the computer and the remote device and thereby provide an interpolated stream of digital sample values, a modem demodulation routine executable by a host processor to demodulate the interpolated stream of digital sample values, and to thereby provide a stream of digital input data, and a modem modulation routine executable by the host processor to modulate a stream of digital input data, and to thereby provide a stream of sample values representative of a communication from the computer. Independent claim 54 has claim limitations such as interface circuitry connectable to the communication link for (i) receiving from the communications link an incoming signal representative of a communication from a remote device and (ii) delivering to the communication link an outgoing signal representative of a communication from the computer, an interpolation routine executable by the processor to interpolate a stream of digital sample values representative of the incoming signal so as to compensate for baud rate variation and to thereby provide an interpolated stream of digital sample values, a modem demodulation routine by the processor to demodulate the interpolated stream of digital sample values, and thereby provide a stream of digital input data, and a modem modulation routine executable by the processor to modulate a stream digital output data, and to thereby

Art Unit: 2614

provide a stream of digital sample values representative of the outgoing signal.

Independent claim 67 has claim limitations such as the host processor executing a set of machine language instructions to interpolate a stream of digital sample values representative of communication from the remote device, so as to compensate for baud rate variation and to thereby provide an interpolated stream of digital sample values, the host processor executing a set of machine language instructions to demodulate the interpolated stream of digital sample values, so as to provide a stream of digital input data, and the host processor executing a set of machine language instructions to modulate a stream of digital output data, so as to provide a stream of digital sample values representative of a communication to the remote device. Independent claim 71 has claim limitations such as operating the host computer processor to execute an interpolate routine, so as to interpolate a stream of digital sample values representative of incoming signal to compensate for baud rate variation and thereby provide an interpolated stream of digital sample values, operating the host computer processor to execute demodulation routine, so as to demodulate the interpolated stream of digital sample values and to thereby provide a stream of digital input data, and operating the host processor to execute a modulation routine, so as to modulate a stream of digital output data and to thereby provide a stream of digital sample values representative of the output signal. Independent claim 73 has claim limitations such as line interface circuitry for receiving an incoming signal from communication link and for delivering an outgoing signal to the communication link, an interpolation routine executable by the host processor, a demodulation routine executable by the host processor, and a



Art Unit: 2614

modulation routine executable by the host processor, whereby, (i) by executing the interpolating routine, the host processor interpolates a stream of digital sample values representative of incoming signal so as to produce an interpolated stream of digital sample values, (ii) by executing demodulation routine, the host processor translates interpolated stream of digital sample values into digital input data, and (iii) by executing modulation routine, the host processor translates digital output data into digital sample values representative of the outgoing signal. For the above reasons independent claims 23, 33, 40, 52, 53, 54, 67, 71, 73 and dependent claims 24-32, 34-39, 41-51, 55-66, 68-70, 72 are allowable.

2. Claims 23-73, now renumbered 1-50 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Melur Ramakrishnaiah/  
Primary Examiner, Art Unit 2614